

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

David Tsehai Embaye,

Civil No. 14-cv-2896 (PJS/TNL)

Plaintiff,

v.

ORDER

Minneapolis Police Department; Officer Omar Foulkes, Officer Brandon Kitzerow, and Officer Walter Ivan Alvarado, each in their individual and official capacities,

Defendants.

David Tsehai Embaye, #228576, MCF Faribault, 1101 Linden Lane, Faribault, MN 55021-6400 (*pro se* Plaintiff);

Timothy S. Skarda, Minneapolis City Attorney's Office, 350 South Fifth Street, Room 210, Minneapolis, MN 55415 (for Defendants).

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated June 22, 2016 (ECF No. 88), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Defendants' Motion for Summary Judgment (ECF No. 64) is **GRANTED**.
2. This matter is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: July 21, 2016

s/Patrick J. Schiltz
The Honorable Patrick J. Schiltz
United States District Court Judge
for the District of Minnesota